

REMARKS

The Applicant wishes to thank the Examiner for discussing this application by telephone on August 13, 2008. In this discussion a number of possible claim limitations were considered for the current amendment many of which have been implemented as described below.

Drawings

The drawings have been objected to as failing to show sharp edges of the invention embedded in a pane when the pane is in a semi-molten state. This rejection is respectfully traversed because the claims do not require sharp edges of the invention to be embedded in a molten pane but rather sharp edges that are spring biased so that they will embed in the pane when the pane becomes molten in a fire. This is an important distinction, because the Applicant anticipates obtaining claims that will cover a vision panel prior to the occurrence of a fire. The Applicant is open to changes in this claim language proposed by the Examiner, such as "adapted for", if the Examiner believes this will add clarity to the claims.

Claim Rejections under 35 U.S.C. §112

Claim 20 has been amended to change its dependency to claim 18, in turn dependent on claim 17, the latter which provides antecedent support for "retention members.

Claim Rejections under 35 U.S.C. §102 (Stark)

Claims 1, 7, 9, and 10 have been rejected under 35 U.S.C. §102(b) as anticipated by Stark. Claim 1 has been amended in several ways. First, claim 1 now requires that the "retention member" extend from the first flange unit across the line of the window pane from the first flange unit. This can be seen in Fig. 3 and serves to allow ready access to the end of the retention unit permitting it to be fastened to the opening in the door by hammering. In contrast, the retention member 56 of Stark, for example shown in Figs. 5 and 6, is blocked by the flange unit 32a which it retains.

Second, claim 1 requires a spike sized, oriented and positioned to be driven into the core material by the impact of a hammer. Stark teaches a "lanced portion" that must be self-engaging and cannot be driven positively by a hammer.

Third, claim 1 requires that the sash elements include flanges extending parallel to the transparent pane whose ends provide the sharp edges that abut the pane and that the flanges flex to provide the spring biasing of the sharp edges.

Stark does not teach flanges extending parallel to the glass pane whose ends provide sharp edges in contact with the pane. The sharp edges identified by the Examiner are neither in contact with the pane nor "ends". Further Stark does not suggest or teach a spring biasing of the sharp edges by the flanges.

Generally, the present invention provides substantial improvement over the Stark design in terms of assembly and if necessary disassembly of the unit, for example, if the frames are placed on the wrong side of the door during the initial installation, because the fastened end of the retention member is exposed for ready access. In this regard, it should be noted that if Stark were modified by providing the glass-gripping features of the present invention where the ends of the flanges provide the gripping edges, then there would be no place to attach the retention member 56 of Stark to the frame because this retention member is clearly attached to an end of a flange. Accordingly, the necessary modification of Stark to meet the claim limitations would render Stark's retention member inoperable.

For these reasons, it is believed that these amendments properly distinguished claim 1 and hence dependent claims 7, 9 and 10 from Stark.

Claim Rejections under 35 U.S.C. §102(b) (LaSee)

Claims 1, 3-6, and 11, 14, and 17-20 have been rejected under 35 U.S.C. §102 as being anticipated by the LaSee.

Claim 1

In light of the amendments described above, it is believed that claim 1 can be distinguished from LaSee and a number of ways. First, the present invention requires a rectangular frame having side corners attached by welds. The design of LaSee cannot have a welded frame because the groove engaging lips 24 of LaSee require that the individual frame walls be individually "rolled" into a groove in the door for the unit to be assembled. There is no teaching suggestion nor would it be possible to make these welds after assembly.

Second, LaSee does not provide a retention member having an end that extends beyond the position of the transparent pane. Taking the groove engaging lips 24 as the retention member, it can be seen that they stop at the center line of the pane.

Third, LaSee does not provide a spike that may be driven into the core material by impact of a hammer. The groove engaging lips 24 do not meet the plain and ordinary meaning of the word spike.

Generally, the LaSee reference teaches away from the present invention because the groove engaging lips 24 together with the special type of door with a groove in the opening required by LaSee obviates the need for the retention element of the present invention as claimed.

Claim 11

Claim 11 has been amended in corporate limitations of claims 12 and 13 and to more clearly indicate that: the threaded fastener includes both a head and shank the latter which includes a non-threaded section and, that the non-threaded socket must be capable of being "drawn over" the non-threaded section to disengage its threads. LaSee does not meet these claim limitations because the shank is fully threaded and the fastener cannot be advanced in a way that would disengage its threads by moving to an unthreaded portion. Tightening the fastener until the head reached the threaded hole of LaSee is not possible.

Claim Rejections under 35 U.S.C. §103

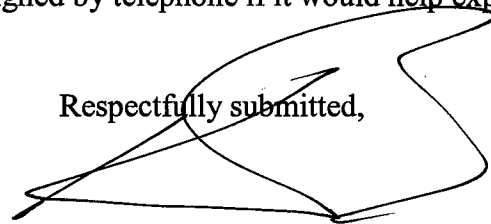
Claims 12, 13, 15, and 16 have been rejected under 35 USC §103 (a) over LaSee in view of DeBlock.

As noted above, claim 11 has been amended to incorporate the limitations of claims 12 and 13 rejected under 35 U.S.C. §103. As amended, claim 11 requires that partially threaded portion of the shank of the fastener cause a disengagement of the fastener threads as it is advanced. DeBlock clearly teaches away from this claim limitation by showing a partially threaded fastener which would not disengage with a threaded socket as it is tightened. DeBlock further teaches away from the present invention by showing frame halves that abut when they are fully tightened, thus eliminating any possible effect of the fastener in limiting compression. Providing a known compression on a vision panel intended to resist flame would not be suggested by the structure of DeBlock.

In light of these amendments, it is respectfully submitted that claims 1-7, 9, 11, 14, 17-20 are now in condition for allowance and allowances respectfully requested

The Examiner is invited to contact the undersigned by telephone if it would help expedite matters.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Keith M. Baxter', is written over the typed name and registration information.

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